

APR. 8. 2004 10:30AM

MEDTRONIC LAW DEPT

NO. 0473 P. 2/12

DOCKET NO.: P9440.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RCE TRANSMITTAL

In re Application of: Chester L. Struble
For: Drug Delivery for Treatment of Cardiac Arrhythmia
Serial No.: 09/842,148
Filed: April 26, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Transmittal and the paper(s), as described herein are being sent via facsimile No. (703) 872-9306, addressed to the Commissioner for Patents, Mail Stop RCE, on this 8th day of April, 2004.


Signature

Kathleen M. Altman

Printed Name

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

Sir:


We are transmitting herewith the attached:

X Request for RCE Transmittal
X Return Postcard

X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

April 8, 2004
Date


Michael C. Soldner, Reg. No. 41,455
Telephone: (763) 514-4842
Customer No. 27581

APR. 8. 2004 10:30AM

MEDTRONIC LAW DEPT

NO. 0473 P. 3/12

APR - 8 2004

OFFICIAL

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request FOR Continued Examination (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, Provides for continued examination of an utility or plant application Filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/842,148
	Filing Date	April 26, 2001
	First Named Inventor	Chester L. Struble
	Group Art Unit	3762
	Examiner Name	Kennedy Schaetzle
	Attorney Docket Number	P9440.00

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 12, 2004
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

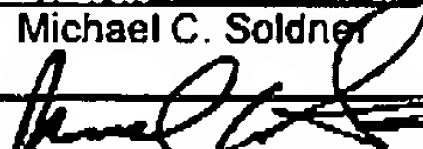
2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other _____

3. **Fees**


- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2546
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael C. Soldner	Registration No.	41,455
Signature		(Attorney/Agent)	Date <u>April 8, 2004</u>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Kathleen M. Altman
Signature	 Date <u>4/8/04</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

APR. 8. 2004 10:30AM

MEDTRONIC LAW DEPT

NO. 0473 P. 1/12

**RECEIVED
CENTRAL FAX CENTER**

APR - 8 2004



OFFICIAL

Facsimile Cover Sheet

To: Examiner Kennedy Schaetzle
Company: U.S. Patent and Trademark Office
Phone:
Fax: 703-872-9306

From: Michael C. Soldner
Company: 
Phone: 763 514 4842
Fax: 763 514 6982

Date: 4/8/04
**Pages including this
cover page:** 12

Comments: Applicant: Chester L. Struble
SN: 09/842,148
Filed: April 26, 2001
For: DRUG DELIVERY FOR TREATMENT OF CARDIAC
ARRHYTHMIA
DOCKET: P-9440.00
Group Art Unit: 3762

X Request for Continued Examination (RCE) Transmittal
X Request for One Month Extension of Time

IF TELECOPY IS ILLEGIBLE OR ALL PAGES HAVE NOT BEEN RECEIVED, PLEASE CONTACT KATHY
ALTMAN AT TELEPHONE (763) 514-3392 IMMEDIATELY.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL
INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMITTAL
FORM. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED
THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY
PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US